

1 BILL NO. X-80 -02-36

2 ANNEXATION ORDINANCE NO. X- 03-80

3 AN ORDINANCE annexing certain territory, commonly  
4 known as the HWI Area, to Fort Wayne, and including  
5 the same in Councilmanic District No. 2.

6 WHEREAS, at least fifty-one percent (51%) of the owners of the  
7 herein described territory have petitioned for voluntary annexation of  
8 said territory; and,

9 and,  
10 WHEREAS, said territory is adjacent to the corporate limits;

11 WHEREAS, the City of Fort Wayne is desirous of annexing said  
12 territory, therefore,

13 BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE,  
14 INDIANA:

15 SECTION 1. That the following described territory be, and  
16 the same is hereby, annexed to and made a part of the corporation of the City  
17 of Fort Wayne, Indiana, to-wit:

18 Part of the Northeast Quarter of Section 33 Township  
19 31 North Range 13 East Allen County, Indiana more  
20 particularly described as follows:

21 Beginning at the Southwest corner of the Northeast  
22 Quarter of said Section 33 said point being in the  
23 centerline of State Street; thence North 01 degrees  
24 00 minutes 44 seconds East (assumed) along the West  
25 line of said Northeast Quarter a distance of 1,398.00  
26 feet; thence Northeasterly 40.38 feet along a curve  
27 deflecting to the right having a radius of 250 feet  
28 not tangent to the last course being subtended by a  
29 chord having a length of 40.33 feet and a bearing  
30 of North 47 degrees 35 minutes 56 seconds East; thence  
31 South 20 degrees 19 minutes 06 seconds East on a line  
32 not tangent to the last described curve course a distance of 179.86 feet; thence South 55 degrees 30 minutes 34 seconds East a distance of 151.26 feet; thence South 18 degrees 50 minutes 45 seconds East a distance of 194.66 feet; thence South 53 degrees 42 minutes 32 seconds West a distance of 191.95 feet; thence South 25 degrees 02 minutes 41 seconds East a distance of 244.70 feet; thence South 64 degrees 40 minutes 30 seconds East a distance of 284.41 feet; thence North 85 degrees 44 minutes 04 seconds East a distance of 178.14 feet; thence North 60 degrees 34 minutes 35 seconds East a distance of 262.24 feet; thence South 36 degrees 54 minutes 22 seconds East a distance of 205.21 feet; thence South 65 degrees 10 minutes 34 seconds West a distance of 28.25 feet; thence South 26 degrees 11 minutes 16 seconds West a distance of 131.58 feet; thence South 29 degrees 55 minutes 08 seconds West a distance of 338.12 feet; thence South 01 degrees 07 minutes 22 seconds West a distance of 40.99 feet to a point on the centerline of State Street; thence along the centerline of State Street by the following described courses; South 78 degrees 45 minutes 54 seconds West a distance of 120.60

feet; thence Southwesterly 296.00 feet along a curve having a radius of 1,388.23 feet deflecting to the right and tangent to the last described course being subtended by a chord having a length of 295.44 feet and a bearing of South 84 degrees 52 minutes 24 seconds West; thence North 89 degrees 01 minutes 06 seconds West along a line tangent to the last described curve a distance of 374.09 feet to the point of beginning, being subject to public road right-of-way of State Street and containing 15.50 acres, more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time of one (1) year of the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

SECTION 3. Governmental and proprietary services will be provided to be above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.



SECTION 4. Said described territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and sixty (60) days after final publication thereof as required by law.

CITY OF FORT WAYNE

  
Councilperson

APPROVED AS TO LEGALITY & FORM:

Read the first time in full and on motion by Gia Quintana, seconded by Charles W. Westerman, and duly adopted, read the second time by title and referred to the Committee Regulations (and the City Plan Commission for recommendation) and Public Hearing to be held after due legal notice, at the Council Chambers, City-County Building, Fort Wayne, Indiana, on 2-26-80, the 26 day of February, 19 80, at 6 o'clock P. M., E.S.T.

DATE: 2-26-80

Charles W. Westerman  
CHARLES W. WESTERMAN  
CITY CLERK

Read the third time in full and on motion by Gia Quintana, seconded by Charles W. Westerman, and duly adopted, placed on its passage. PASSED (~~LOST~~) by the following vote:

	<u>AYES</u>	<u>NAYS</u>	<u>ABSTAINED</u>	<u>ABSENT</u>	<u>TO-WIT:</u>
<u>TOTAL VOTES</u>	<u>8</u>	<u>0</u>	<u>—</u>	<u>1</u>	<u>—</u>
<u>BURNS</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>EISBART</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>GiaQUINTA</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>NUCKOLS</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>SCHMIDT, D.</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>SCHMIDT, V.</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>SCHOMBURG</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>STIER</u>	<u>X</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>—</u>
<u>TALARICO</u>	<u>—</u>	<u>—</u>	<u>—</u>	<u>X</u>	<u>—</u>

DATE: 5-12-80

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as (ZONING MAP) (~~GENERAL~~) (ANNEXATION) (~~SPECIAL~~) (APPROPRIATION) ORDINANCE (RESOLUTION) No. X-03-80 on the 13th day of May, 19 80.

ATTEST:

(SEAL)

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Divian J. Schmidt  
PRESIDING OFFICER

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of May, 19 80, at the hour of 11:30 o'clock A. M., E.S.T.

Charles W. Westerman  
CHARLES W. WESTERMAN - CITY CLERK

Approved and signed by me this 16th day of May, 19 80, at the hour of 4 o'clock P. M., E.S.T.

Winfield C. Moses, Jr.  
WINFIELD C. MOSES, JR.  
MAYOR

hold until 2/1/81

BILL NO. X-80-02-36

REPORT OF THE COMMITTEE ON ANNEXATION

WE, YOUR COMMITTEE ON ANNEXATION TO WHOM WAS REFERRED AN  
ORDINANCE annexing certain territory, commonly known as the  
HWI Area, to Fort Wayne, and including the same in Councilmanic  
District No. 2

HAVE HAD SAID ORDINANCE UNDER CONSIDERATION AND BEG LEAVE TO REPORT  
BACK TO THE COMMON COUNCIL THAT SAID ORDINANCE DO PASS.

MARK GiaQUINTA, CHAIRMAN

DONALD J. SCHMIDT, VICE CHAIRMAN

JAMES S. STIER

PAUL M. BURNS

SAMUEL J. TALARICO

5-13-80  
DATE 5-13-80 CONCURRED IN  
CHARLES W. WESTERMAN, CITY CLERK

# REQUEST FOR ACTION

Number assigned by John Hoffman's Office: 4787

TO: City Attorney John E. Hoffman  
or  
Associate City Attorney George Martin / 12th Floor Lincoln Tower

FROM: (Name, Title & Department) Paul Zisla, Associate Planner - CD&P

APPROVED BY:

Kennic A. McCreary  
(Person authorized to forward legal work)

DATE: February 12, 1980

SUBJECT: Ordinance for Voluntary Annexation of HWI  
(File subject designation)

\*\*\*\*\*

File # Assigned by Records Librarian

Date: \_\_\_\_\_

\*\*\*\*\*

ACTION REQUESTED: Approve legality and form of proposed ordinance for voluntary annexation of HWI.

(Continue on reverse side, if necessary)

CC: City Attorney John E. Hoffman  
(if request originally sent to an Associate City Attorney)  
Mayor Winfield C. Moses, Jr.  
Department Head of Requesting Party

# Memorandum

To Members of the Common Council

Date 25 March 1980

From A. Paul Norby

Subject Voluntary Annexation of HWI

## COPIES TO:

John Nuckols  
Donald Schmidt  
Roy Schomburg  
Ben Eisbart  
Mark GiaQuinta  
James Stier  
Paul Burns  
Vivian Schmidt  
Sam Talarico

Charles Westerman,  
City Clerk

John Logan,  
Council Attorney

Attached is a copy of the fiscal plan for the voluntary annexation of HWI, Bill No. X-80-02-36 and Resolution R-80-02-35. This is a voluntary annexation of 15.5 vacant acres east of the City in St. Joseph Township. Hardware Wholesalers, Inc., is planning to build a new headquarters on the site. The City Plan Commission has recommended DO PASS.

The current City boundary splits the site and the proposed office building. Annexation is necessary for the financing package to be used by HWI. It would also facilitate the efficient provision of urban services.

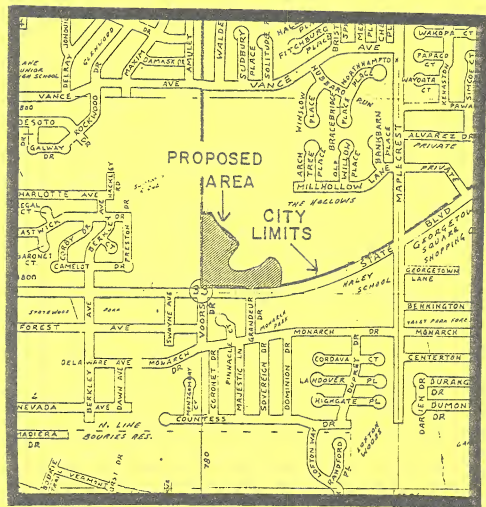
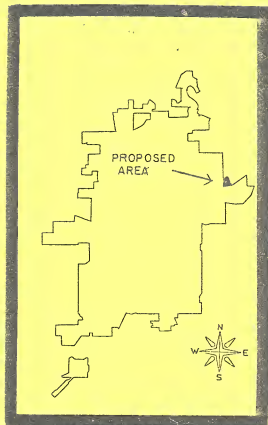
All of the territory proposed for annexation is included in the area covered by annexation ordinance X-04-79, Blackhawk. This ordinance has been remonstrated and is pending litigation. Therefore, to allow the HWI annexation the City Attorney has recommended that X-04-79 be amended to exclude the effected territory. Bill No. X-80-02-34 has been introduced to make the change and should be dealt with when X-80-02-36 is considered.

Please advise us of any meeting to discuss the HWI annexation, so that we can be available to answer your questions.

/pb

Attachment

# H. W. I. ANNEXATION



CITY OF FORT  
WAYNE DEPT.  
OF C D. & P.

## INTRODUCTION

The HWI Annexation was petitioned for in February of 1980 by the owner of the effected territory. Hardware Wholesalers Inc. (HWI) plans to build its headquarters in the area. Since part of the proposed structure will be located within the existing corporate Limits. Annexation would simplify the provision of services by putting the entire structure within City jurisdiction.

The annexation area is located within the area annexed by X-04-79, The Blackhawk Annexation. That ordinance was remonstrated against and is pending litigation. Consequently, to get the entire HWI Headquarters project within The City, voluntary annexation is necessary.

All of the property owners petitioned for annexation and the area is contiguous to the City, so the voluntary annexation criteria of I.C. 18-5-10-23 are met.

As required by Common Council Resolution R-56-79, this annexation fiscal plan has been prepared. It describes the area, sets forth a plan for providing municipal services and summarizes the financial impact of annexation upon the City.



## BASIC DATA

1. LOCATION

The proposed annexation area is located east of City along E. State Boulevard in St Joseph Township.

2. SIZE:

15.5 acres

3. POPULATION / DENSITY

The area is currently vacant. When the HWI Headquarters facility is completed there will be 374 employees on site, although one-half of the site is already in the City.

4. BUILDINGS

	<u>TYPE</u>	<u>NUMBER</u>
Current	-	-
Proposed	Commercial	1

Over one-half of the proposed building will be within the existing Corporate Limits. Annexation will add slightly less than one-half of the building to the City. (See Map 1)

5. LAND USE

	<u>USE</u>	<u>AREA</u>	<u>PERCENTAGE</u>
Current	Vacant	15.5 Acres	100%
Proposed	Commercial	15.5 Acres	100%

6. ZONING

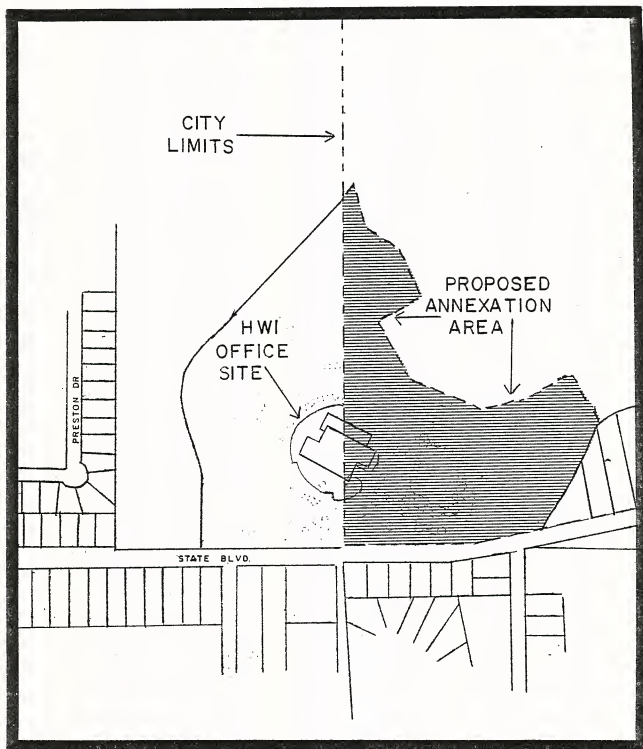
<u>Percent</u>	<u>County Zone</u>	<u>Description</u>	<u>City Zone</u>	<u>DESCRIPTION</u>
100%	C-IA (P)	Professional Office	R-3	Multiple Family (Office use permitted with BZA Approval)

7. PLANNING

The City of Fort Wayne demonstrated its interest in annexing this territory when it passed X-04-79, The Blackhawk Annexation. Since X-04-79, has been remonstrated against. The only way to get the entire HWI Headquarters site into the City is through voluntary annexation. Clearly, the area is needed for urban development and the growth of the City, so annexation is appropriate.

With annexation, the headquarters structure will be entirely within one jurisdiction which will simplify the provision of municipal services. As will be shown by the municipal services section of this plan, the City can realistically extend services to the entire HWI complex. This applies primarily to police and fire protection and to EMS service. E. State Boulevard is already within the City and Water and Sewer service will be provided by City Utilities regardless of annexation.

# H.W.I. ANNEXATION



## MUNICIPAL SERVICES

In 1979 The Fort Wayne City Council adopted Resolution No R-56-79 that set forth a policy for providing municipal services to annexed areas. This plan follows the directives of R-56-79 which are based on State Annexation Law, in particular I.C. 18-5-10-25 (c).

Under current plans, HWI will locate a new office building in the annexation area. Since part of this building will be in the City regardless of annexation, the effect of annexation cannot be precisely determined. Certain services will in all likelihood be provided to the entire structure regardless. For example, City fire fighting units would probably respond to a fire call from any point in the building.

It is possible that the office structure use will not materialize changing the calculations of cost of service. Such a development would not effect the City's commitment to providing services that are equivalent in standard and scope to those provided similar areas already within the city.

Municipal services are analyzed in terms of the needs of the HWI annexation area and the costs of providing the services to the area. As required by Indiana law, services will be provided in a manner that treats the HWI area the same way as similar areas in the City are treated. Services will be at City standard, and, where necessary for items such as new utility service, the standard service provision processes will be used just as they are used elsewhere in the City of Fort Wayne.

The City of Fort Wayne will provide police and fire protection, emergency medical service, traffic control, solid waste collection, and street and road maintenance immediately upon annexation. Street lighting and street construction will be provided in accordance with the standard processes of the City, which can include property owner petitioning and financial participation. The water, sewer and drainage services of the Fort Wayne City Utilities will be made available to the area in conformance with relevant State law and Utility policies. The Park facilities of the City will be available to residents with park development in the area contingent upon the park planning standards and methods used throughout the community. The specifics of implementing these services in the HWI annexation are presented in the following reports.

This is a plan to provide municipal services, which the City of Fort Wayne is committed to do. The exact implementation details may change as needs are re-evaluate and services re-allocated throughout the entire city. Standard City policy could also change, necessitating change in the manner and amount of service provided. Regardless of the change in details, the services will be provided to the HWI area in the same manner and level that they are provided elsewhere in the City.

Once the annexation becomes effective the departments of the City of Fort Wayne will be notified so that they can appropriately modify their areas of jurisdiction. Then this plan can be implemented.

1. Police

The Fort Wayne Police Department will become responsible for servicing the HWI area immediately upon annexation. This service generally includes the prevention and detection of criminal offenders, assistance for those who cannot care for themselves or who are in danger of physical harm, the resolution of day to day conflicts among family, friends, and neighbors, and the creation of maintenance of feeling of security in the community. The Police Department is also involved in legal work such as participation in court proceedings and protection of constitutional guarantees. Furthermore, it is responsible for the control of traffic and the promotion and preservation of civil order.

The location, size and character of the area has been analyzed by the Police Department and an estimate made of the cost of providing police service to the area. Police District #1 is adjacent to the area and will be expanded to allow for police coverage. It was determined that 10 trips a day would be the maximum number needed for the area and that this would be physically feasible given the patrol patterns in District #1. This should be adequate for routine patrols and for responding to calls for service. There will, of course, be daily variations in the number of police runs into the area. The Chief of Police will routinely evaluate the requirements of the area and make necessary adjustments in police districts, patrol patterns and manpower.

Using a maximum of 10 patrols daily and calculating the cost of this in officer-time and equipment used, it would cost an estimated \$8,800 annually to provide police service to the HWI office complex. No additional communications personnel or equipment is needed.

The cost of serving the HWI annexation area is less than the \$8,800 annual cost for serving the office complex itself. Since part of the building, possibly over one-half, will be in the City regardless, The Police Department will be providing some service whether or not the HWI annexation becomes effective. Thus, even one-half of the \$8,800 could be a high cost for the annexation itself. In fact the actual range will be from \$0 to \$4,400 for just the annexation.

Funding for the manpower and equipment used to serve the area will come from the regular Police Department Budget which is derived primarily from local property taxes through the General Fund. Any monies allocated to the General Fund can be used for this budget and these services.

2. Fire

The Fort Wayne Fire Department will provide service to the HWI annexation area immediately upon annexation. The services provided include Fire protection and suppression, emergency rescue and Fire prevention inspection.

First response to calls for service will come from Station #14 on Reed Road, #10 on E. State Street, #13 at Coliseum and Parnell and if need be, the ladder company at Station #1 at the intersection of E. Main and Lafayette.

Serving the HWI office complex will not require additional personnel or equipment. Inspections would use manpower time and any runs to the area would use some materials and fuel. However, this annexation alone will not lead to an increase in the Fire Department budget requirement. First, it is not possible to predict with any assurance the annual number of runs to a structure like the one proposed. Second, if the majority of the proposed building is built within the existing Corporate limits then in all likelihood the City would have initial response responsibility. Third, at least part of the structure will be in the City regardless of annexation. Thus the Fire Department will have to serve the structure in some way, no matter what happens with annexation.

Service to the HWI area will come out of the existing Fire Department budget which is supported by the local property tax is allocated through the General Fund.

### 3. Emergency Medical Service

Immediately upon annexation, the HWI area will receive full time emergency medical service coverage from the Fort Wayne EMS Department. This includes ambulance coverage and first aid treatment to victims of heart attacks, automobile and other accidents, and to others requiring immediate medical attention.

EMS response will come from Fire Station #13, located at the intersection of Coliseum Blvd. and Parnell Ave. On certain runs the Fort Wayne Fire Department will provide initial response and extra assistance. This will come from Station #14 on Reed Road.

The Fire Department trains its personnel so that there is a trained emergency medical technician at each station and on all runs. The firemen will be able to administer medical treatment before the ambulance arrives to transport the victim.

The Emergency Medical Service provided to the HWI area will be equivalent to the service provided to other areas within the city. The City is currently providing service to the immediate south and west of the annexation area, so response time should be nearly the same for the HWI area as it is for these adjacent areas. It will also be within standards that are acceptable to the EMS department.

Usually the estimated cost of EMS services is computed by a per capita method using the residential population of an area. In this case the number of workers in the area was used instead of residential population. An adjustment was then made to account for the fact that the number of EMS runs per 1000 of workers is different than the number of EMS runs for 1000 persons residing in an area.

Using this method, the expected number of annual EMS runs to the entire HWI office complex is 10. At an average cost of \$30 per run, the annual cost is estimated at \$300.

Much of this annual cost will be incurred regardless of annexation, because over one-half of the proposed building will be within the current city limits. Furthermore, once the building is constructed, the City is likely to provide much of the EMS service to the area currently outside the City. Should the entire building be taxed at the City rate, then the Fire Department, of which EMS is a part would probably treat the entire structure as being inside the City. Under that condition none of the cost of service would be attributable to annexation. Consequently, the annual cost of the HWI annexation ranges from \$0 to \$300 with \$150 the most realistic maximum.

Funding will come out of the regular EMS budget which is supported by local property taxes through the General Fund.

4. Solid Waste Collection

The City solid waste removal contract with National Serv-All does not include commercial structures. Therefore, this annexation would not involve any expenses to the Civil City for solid waste collection.

5. Traffic Control

The City of Fort Wayne will assume responsibility for traffic control in this area immediately upon annexation. Since there are no public roads in this area and since E. State Blvd. is already in the City, these new responsibilities are limited. Due to the magnitude of The HWI project, the widening of E. State Blvd. and the addition of a traffic signal are possible. However, annexation will have no effect on any of this as the City is already responsible for E. State Blvd.

6. Street Lighting

There will be no cost for street lighting since no roads are being annexed and E. State Blvd. is already in the City. Any costs incurred for additional street lighting on E. State due to HWI or other developments are not attributable to annexation. Regulatory costs are not amenable to calculation for an area this small.

7. Streets and Roads

Since there are no public streets or roads in the area and none expected, there will be no street maintenance or construction costs due to the annexation.

8. Parks

No additional parks are needed in the area because of the total lack of residential population. Development of the HWI office would certainly not change this.



9. General Administrative Functions

Upon annexation all administrative functions of the City will be available to the annexation area. This includes, but is not limited to, The Law Department, The City Plan Commission, The Mayors Office, The Board of Works, Metropolitan Human Relations, and so on. General Administration includes all the regulatory and program functions of the various City departments. When the HWI annexation becomes effective City departments will be notified and will expand their jurisdictional areas accordingly.

The costs of these services can not be directly related to the size or population of an area.<sup>1</sup> Consequently, this plan does not include cost estimates. An expansion of the size proposed here can be absorbed by the City departments through their regular budgets. These budgets are developed with consideration of annexation. Therefore, expansion of administrative functions is possible. Funding comes from a variety of resources including the General Fund, monies from the State (MVH for example) and in some cases, Federal Grants.

---

1. Community Development and Planning, Annexation Program and Policy Study, 1976.

## FORT WAYNE UTILITIES

Water and sanitary sewer facilities will be provided to the HWI office complex and annexation area by City Utilities. These services are paid for with user charges and tap fees and not through Civil City property tax revenues. Storm drainage facilities will be provided by the developer of the HWI area under the supervision and control of City Utilities.

### 1. Water

The Fort Wayne Water Utility will serve the HWI office complex and annexation area. There is a 16" main on E. State Blvd. that can supply HWI. Extensions to the office building and the rest of the annexation area will be paid for by the developer.

### 2. Fire Hydrants

The developer of the HWI office complex will be required to provide adequate fire hydrants. Payment of the user fee for all hydrants located on private property will be made by the owner of the office building. It is possible that the HWI office will require hydrants off-site. If these are in the public right-of-way, the Civil City will pay the user fee. At this time detailed plans have not been reviewed by the Utility, so the number and placement of hydrants are unknown.

### 3. Sanitary Sewers

The HWI office complex will use City Utilities sanitary sewers. Installation will be done and paid for by the developer. Plan review and approval will be the responsibility of Water Pollution Control Engineering.

### 4. Storm Drainage

Storm Drainage facilities will be provided by the developer of the HWI complex. The City will regulate the provision of these facilities.

## FINANCIAL SUMMARY

### 1. Revenue:

As vacant land the 15.5 acres in the annexation area have an assessed value of \$6975. Using the most recent known city tax rate the revenue from this land would be \$272.00 annually.

Should more than one-half of the HWI building be within the existing city limits, then the entire structure will be taxed at the city rate. Thus, annexation would not add to the tax revenue received by the City. If less than fifty percent of the building is in the City and the City annexes it then there would be additional revenue for the City. This would be roughly \$39,000 a year.

### 2. Expenditures

As explained in the Municipal Services reports, for many services expenditures because of annexation cannot be calculated. With one-half of the building in the City regardless, the City will be providing service without annexation.

<u>Service</u>	<u>Annual Cost</u>
Police	\$ 0-4,400
Fire	0
EMS	\$ 0- 150
Solid Waste Collection	0
Traffic Control	0
Street Maintenance	0
Parks	0
Fire Hydrants	0

### 3. Five Year Summary

If all of HWI is taxed at the City rate, then there will be no revenue from annexation and some costs, albeit minimal. Of course, if the City is receiving complete revenue, then it is likely to provide more complete basic services to the entire facility and the costs of annexation would be reduced. Legal restrictions could impede this somewhat.

The cost of serving the annexation area itself is roughly \$5,900. The annual tax value of that area will range around \$39,000. This relationship for the annexation area, and not for the HWI office as such, will not change over five years.

## SUMMARY AND RECOMMENDATIONS

### 1. Indiana Annexation Statutes

This voluntary annexation meets the legal requirements of I.C. 18-05-10-25 by being contiguous to the corporate limits and having been petitioned for by more than 51% of the property owners. This report meets the fiscal plan requirements of R-56-79. It delineates the services to be provided, estimates the costs of these services, includes a plan for the organization and extension of these services, and states how the services will be funded. No employees of other governmental entities will lose their jobs because of this annexation.

### 2. Fort Wayne's Annexation Policy

The Fort Wayne City Council has considered other annexation criteria in addition to those set forth by the State Statutes.

A. The area proposed for annexation must have a unity of interest with the municipality.

Clearly, with nearly one-half of the HWI structure in the annexation area and the rest in the City, this condition is met.

B. The advantages to the proposed annexation area must outweigh the disadvantages.

The principal advantage will be that the HWI structure will be completely within the City instead of split. Urban services can then be provided with less confusion and greater efficiency. There might be a greater tax burden, but not if over one-half of the building is within the existing city limits.

C. The advantages to the City must outweigh the disadvantages.

The City would grow along with the urban area, thereby providing for a strong tax base and the ability to provide adequate services. Having the entire HWI office complex in the City would greatly simplify the provision of services.

D. The deficit of income against expenses to the City must not be unreasonable.

Annexation will have a negligible effect in this regard. The City will be providing services to the HWI building anyways and will be receiving tax revenue regardless. Services effected by annexation will cost less than the tax revenue from HWI.

E. The City must desire to annex the area.

The HWI annexation is within the area the City has already attempted to annex with X-04-79, The Blackhawk Annexation.

Based on an analysis of the HWI annexation area by the Department of Community Development and Planning, the Department finds that this annexation is consistent with the annexation policies of the City.

## DIGEST SHEET

TITLE OF ORDINANCE Voluntary Annexation of HWIDEPARTMENT REQUESTING ORDINANCE CD&PSYNOPSIS OF ORDINANCE Ordinance annexes territory proposed for HWI  
headquarters.X-80-02-365-13-80EFFECT OF PASSAGE Territory becomes part of the City. Other effects to be described  
by fiscal plan to be prepared by CD&P.EFFECT OF NON-PASSAGE Territory does not become a part of the City.MONEY INVOLVED (Direct Costs, Expenditures, Savings) To be described by Fiscal Plan  
to be prepared by CD&P.ASSIGNED TO COMMITTEE (J.N.) Amey.



OFFICE OF THE CITY CLERK

## THE CITY OF FORT WAYNE

CITY-COUNTY BUILDING • ONE MAIN STREET • FORT WAYNE, INDIANA 46802

Charles W. Westerman, clerk - room 122

May 19, 1980

Ms. Virginia Grace  
Fort Wayne Newspapers, Inc.  
600 West Main Street  
Fort Wayne, IN 46802

Dear Ms. Grace:

Please give the attached full coverage on the dates of May 23 and May 30, 1980, in both the News Sentinel and Journal Gazette.

RE: Legal Notice for Common Council  
of Fort Wayne, Indiana

Annexation Ordinances:

Bill No. X-80-02-34  
Annexation Ordinance No. X-02-80

Bill No. X-80-02-36  
Annexation Ordinance No. X-03-80

Bill No. X-80-04-11  
Annexation Ordinance No. X-04-80

Zoning Map Ordinances:

Bill No. Z-80-03-08 (as amended)  
Zoning Map Ordinance No. Z-17-80

Bill No. Z-80-03-09  
Zoning Map Ordinance No. Z-18-80

Please send us 20 copies of the Publisher's Affidavit from both newspapers.

Thank you.

Sincerely,  
*Charles W. Westerman*  
Charles W. Westerman  
City Clerk

CWW/ne  
ENCL: 4

LEGAL NOTICE

Notice is hereby given that on the 13th day of May, 1980, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-80-02-36  
X-03-80 Annexation Ordinance, to-wit:

BILL NO. X-80 - 02 - 36

ANNEXATION ORDINANCE NO. X- 03-80

AN ORDINANCE annexing certain territory, commonly known as the HWI Area, to Fort Wayne, and including the same in Councilmanic District No. 2.

WHEREAS, at least fifty-one percent (51%) of the owners of the herein described territory have petitioned for voluntary annexation of said territory; and,

WHEREAS, said territory is adjacent to the corporate limits; and,

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Northeast Quarter of Section 33 Township 31 North Range 13 East Allen County, Indiana more particularly described as follows:

Beginning at the Southwest corner of the Northeast Quarter of said Section 33 said point being in the centerline of State Street, thence North 01 degrees 00 minutes 44 seconds East (assumed) along the West line of said Northeast Quarter a distance of 1,393.00 feet; thence Northeasterly 40.38 feet along a curve deflecting to the right having a radius of 250 feet not tangent to the last course being subtended by a chord having a length of 40.33 feet and a bearing of North 47 degrees 35 minutes 56 seconds East; thence South 20 degrees 19 minutes 06 seconds East on a line not tangent to the last described curve course a distance of 179.86 feet; thence South 55 degrees 30 minutes 34 seconds East a distance of 151.26 feet; thence South 18 degrees 50 minutes 45 seconds East a distance of 194.66 feet; thence South 53 degrees 42 minutes 32 seconds West a distance of 191.95 feet; thence South 25 degrees 02 minutes 41 seconds East a distance of 244.70 feet; thence South 64 degrees 40 minutes 30 seconds East a distance of 234.41 feet; thence North 85 degrees 44 minutes 04 seconds East a distance of 178.14 feet; thence North 60 degrees 54 minutes 35 seconds East a distance of 262.24 feet; thence South 36 degrees 54 minutes 22 seconds East a distance of 205.21 feet; thence South 65 degrees 10 minutes 34 seconds West a distance of 28.25 feet; thence South 26 degrees 11 minutes 16 seconds West a distance of 131.58 feet; thence South 29 degrees 55 minutes 08 seconds West a distance of 333.12 feet; thence South 01 degrees 07 minutes 22 seconds West a distance of 40.95 feet to a point on the centerline of State Street; thence along the centerline of State Street by the following described courses; South 73 degrees 45 minutes 54 seconds West a distance of 120.60

feet; thence Southwesterly 296.00 feet along a curve having a radius of 1,333.23 feet deflecting to the right and tangent to the last described course being



Notice is hereby given that on the 12th day of May, 1980, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-80-02-36, X-80-80 Annexation Ordinance, to-wit:

BILL NO. X-80-02-36

ANNEXATION

ORDINANCE NO. X-80-80

AN ORDINANCE annexing certain territory, commonly known as the HWI Area, to Fort Wayne, and including the same in Councilmatic District No. 2.

WHEREAS, at least fifty-one percent (51%) of the owners of the herein described territory have petitioned for voluntary annexation of said territory; and

WHEREAS, said territory is adjacent to the corporate limits; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory; therefore

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Northeast Quarter of Section 33 Township 31 North Range 13 East Allen County, Indiana more particularly described as follows:

Beginning at the Southwest corner of the Northeast Quarter of said Section 33 said point being in the center line of State Street; thence North 01 degrees 00 minutes 44 seconds East (assumed) along the West line of said Northeast Quarter a distance of 1,398.00 feet; thence Northwesterly 40.38 feet along a curve deflecting to the right having a radius of 250 feet not tangent to the last course

being subtended by a chord having a length of 40.33 feet and a bearing of North 47 degrees 35 minutes 56 seconds East; thence South 20 degrees 19 minutes 06 seconds East on a line not tangent to the last described curve course a distance of 179.86 feet; thence South 55 degrees 30 minutes 34 seconds East a distance of 151.26 feet; thence South 18 degrees 50 minutes 45 seconds East a distance of 194.66 feet; thence North 53 degrees 42 minutes 12 seconds West a distance of 191.95 feet; thence South 25 degrees 02 minutes 41 seconds East a distance of 244.70 feet; thence South 64 degrees 00 minutes 30 seconds East a distance of 284.41 feet; thence North 85 degrees 44 minutes 54 seconds East a distance of 178.14 feet; thence North 40 degrees 34 minutes 25 seconds East a distance of 262.74 feet; thence South 36 degrees 54 minutes 22 seconds East a distance of 260.71 feet; thence South 43 degrees 10 minutes 34 seconds West a distance of 28.75 feet; thence South 26 degrees 11 minutes 16 seconds South a distance of 131.58 feet; thence South 29 degrees 55 minutes 08 seconds West a distance of 228.12 feet; thence South 01 degrees 07 minutes 22 seconds West a distance of 48.79 feet to a point on the centerline of State Street; thence along the centerline of State Street by the following described courses: South 78 degrees 45 minutes 34 seconds West a distance of 120.60 feet; thence Southwesterly 290.00 feet along a curve having a radius of 1,388.22 feet deflecting to the right and tangent to the last described course being subtended by a chord having a length of 295.44 feet and a bearing of South 84 degrees 51 minutes 24 seconds West; thence North 89 degrees 01 minutes 06 seconds East along a line tangent to the last described curve course a distance of 374.09 feet to the point of beginning, being subject to public road right-of-way of State Street and containing 15.50 acres, more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time of one (1) year or the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

SECTION 3. Governmental and proprietary services will be provided to be above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

SECTION 4. Said described territory shall be part of Councilmatic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 2 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and sixty (60) days after final publication thereof as required by law.

CITY OF FORT WAYNE  
Mark E. Glavinia  
Councilperson

Read the third time in full and on motion by Glavinia seconded by Slier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight  
Burns, Eisbart, Glavinia, Nuckols, D. Schmidt, V. Schmidt, Schomburg, Slier  
Nays: None  
Absent: One  
Talarico

Oate: 5:13:00

Charles W. Westerman  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-80-80 on the 13th day of May, 1980.

ATTEST:  
Charles W. Westerman  
City Clerk  
Vivian W. Schmidt  
Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of May, 1980, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Westerman  
City Clerk

Approved and signed by me this 14th day of May, 1980, at the hour of 4:00 o'clock P.M., E.S.T.

Wm. Moses, Jr.  
Mayor

I, Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the foregoing is a full, true and complete copy of Annexation Ordinance No. X-80-80 passed by the Common Council on the 13th day of May, 1980, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of May, 1980 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 14th day of May, 1980.

General Form No. 99 P (Rev. 1967)

on Council

To NEWS-SENTINEL Dr.

County, Ind.

FORT WAYNE, INDIANA

### PUBLISHER'S CLAIM

exceed two actual lines, neither of which shall total more than four solid lines (ch the body of the advertisement is set) - number of equivalent lines

206

2

208

lines in notice

1 columns wide equals 208 equivalent lines at .2534 \$ 52.62

columns containing rule or tabular work (50 per cent of above amount)

18 extra 9.00

publication (50 cents for each proof in excess of two)

\$ 61.62

NT OF CLAIM.

9.6 picas

Size of type 6 point

2

Size of quad upon which type is cast 6

of Ch. 89, Acts 1967.

is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

D. Roose

Title CLERK

### PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned D. Roose who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL

a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for the dates of publication being as follows: 5/23 - 5/30/80

Subscribed and sworn to before me this

30 th day of May 19 80

September 28, 1983

My commission expires

Notary Public

Date \_\_\_\_\_

**Fort Wayne Common Council**To **NEWS-SENTINEL** Dr.

(Governmental Unit)

**Allen**

County, Ind.

**FORT WAYNE, INDIANA****PUBLISHER'S CLAIM****LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

**208**

Body number of lines

**2**

Tail number of lines

**208**

Total number of lines in notice

**COMPUTATION OF CHARGES**

**208** lines, **1** columns wide equals **208** equivalent lines at **.2534** \$ **52.62**  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

**18 extra****9.00**

TOTAL AMOUNT OF CLAIM.

**\$ 61.62****DATA FOR COMPUTING COST**

Width of single column 9.6 picas

Size of type **6** pointNumber of insertions **2**Size of quad upon which type is cast **.6**

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date **May 30 80** 19Title **CLERK****PUBLISHER'S AFFIDAVIT**State of Indiana  
ALLEN County SS:Personally appeared before me, a notary public in and for said county and state, the undersigned **D. Roose** who, being duly sworn, says that she is **CLERK** of the**NEWS-SENTINEL**a **DAILY** newspaper of general circulation printed and published in the English language in the city of **FORT WAYNE, INDIANA** townin state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **two times** the dates of publication being as follows: **5/23 - 5/30/80**Subscribed and sworn to before me this **30** th day of **May** 19 **80****September 28, 1983** Notary Public

My commission expires

Lilly-flowered, Triumph,  
The peak of brilliant  
removed for summer  
round of dazzlement in S

Two years ago, a Tri  
can complete

## Port Wayne Common Council

To NEWS-SENTINEL Dr.

(Governmental Unit)

Allen

County, Ind.

FORT WAYNE, INDIANA

## PUBLISHER'S CLAIM

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body

number of lines

Notice is hereby given that on the 13th day of May, 1980, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-90-02-16, X-90-80 Annexation Ordinance, to-wit:

BILL NO. X-90-02-30  
ANNEXATION  
ORDINANCE NO. X-90-80  
AN ORDINANCE annexing certain territory, commonly known as the HWI Area, to Fort Wayne, and including the same in Councilmanic District No. 2.

WHEREAS, at least fifty-one percent (51%) of the owners of the herein described territory have petitioned for voluntary annexation of said territory; and

WHEREAS, said territory is adjacent to the corporate limits; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory, therefore,

BE IT ORDAINED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to-wit:

Part of the Northeast Quarter of Section 33 Township 31 North Range 13 East Allen County, Indiana more particularly described as follows:

Beginning at the Southwest corner of the Northeast Quarter of said Section 33 said point being in the center line of State Street; thence North 01 degrees 00 minutes 44 seconds East (assumed) along the West line of said Northeast Quarter a distance of 1,370.00 feet; thence Northeast 40.38 feet along a curve deflecting to the right having a radius of 250 feet not tangent to the last course being subtended by a chord having a length of 40.23 feet and a bearing of North 47 degrees 35 minutes 56 seconds East; thence South 20 degrees 19 minutes 06 seconds East on a line tangent to the last described curve a distance of 179.86 feet; thence South 53 degrees 30 minutes 34 seconds East a distance of 151.26 feet; thence South 18 degrees 40 minutes 45 seconds East a distance of 194.66 feet; thence South 51 degrees 42 minutes 32 seconds West a distance of 191.95 feet; thence South 25 degrees 02 minutes 41 seconds East a distance of 244.70 feet; thence South 54 degrees 40 minutes 20 seconds East a distance of 284.41 feet; thence North 85 degrees 44 minutes 04 seconds East a distance of 175.14 feet; thence North 60 degrees 34 minutes 35 seconds East a distance of 262.24 feet; thence South 36 degrees 34 minutes 22 seconds West a distance of 203.2 feet; thence South 65 degrees 10 minutes 34 seconds West a distance of 28.25 feet; thence South 26 degrees 11 minutes 16 seconds West a distance of 119.58 feet; thence South 29 degrees 55 minutes 08 seconds West a distance of 208.12 feet; thence South 01 degrees 07 minutes 22 seconds West a distance of 40.99 feet to a point on the center line of State Street; thence along the center line of State Street by following described courses: South 78 degrees 45 minutes 54 seconds West a distance of 120.60 feet; thence Southwest 15 degrees 26.00 feet along a curve deflecting to the right and tangent to the last described curve being subtended by a chord having a length of 295.44 feet and a bearing of South 84 degrees 01 minutes 24 seconds West; thence North 89 degrees 01 minutes 06 seconds West along a line tangent to the last described curve a distance of 374.99 feet to the point of beginning, being subject to public road right of way of State Street and containing 15.50 acres, more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time of one (1) year of the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization and population density. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and

local laws, procedures and planning criteria.

SECTION 3. Governmental and proprietary services will be provided to be above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

SECTION 4. Said described territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and sixty (60) days after final publication thereof as required by law.

CITY OF FORT WAYNE

Mark E. Grazioplene

Councilperson

Read the third time in full and on motion by Grazioplene seconded by Slier, and duly adopted, placed on its passage. PASSED by the following vote:

Yeas: Eight

Burns, Eisbarf, Grazioplene, Nuckolls, D. Schmidt, V. Schmidt, Schomburg, Slier.

Nays: None

Absent: One

Talarico

Date: 5/13/80

Charles W. Weslerman

City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-90-80 on the 13th day of May, 1980.

ATTEST:

Charles W. Weslerman

City Clerk

Vivian G. Schmidt

Presiding Officer

Presented by me to the Mayor of the City of Fort Wayne, Indiana, on the 14th day of May, 1980, at the hour of 11:30 o'clock A.M., E.S.T.

Charles W. Weslerman

City Clerk

Approved and signed by me this 14th day of May, 1980, at the hour of 4:00 o'clock P.M., E.S.T.

Wim Moses, Jr.

Mayor

I, Charles W. Weslerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-90-80 passed by the Common Council on the 13th day of May, 1980, and that said Ordinance was duly signed and approved by the Mayor on the 14th day of May, 1980 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 15th day of May, 1980.

Charles W. Weslerman

City Clerk

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

5/23/80

ns wide equals ..... equivalent lines at ..... \$ 52.62

le or tabular work (50 per cent of above amount)

ents for each proof in excess of two)

18 extra

\$ 61.62

Size of type..... 6 ..... point

Size of quad upon which type is cast..... 6.....

ect, that the amount claimed is legally due, after allowing all just credits, and that no part of the same

Title..... CLERK

PUBLISHER'S AFFIDAVIT

Indiana County SS:

I, D. Roose, a notary public in and for said county and state, the

D. Roose

who, being duly sworn, says

CLERK

of the

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

D. Roose

**Fort Wayne Common Council**

(Governmental Unit)

To NEWS-SENTINEL Dr.

**Allen**

County, Ind.

FORT WAYNE, INDIANA

**PUBLISHER'S CLAIM**

**LINE COUNT**

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

206

2

208

**COMPUTATION OF CHARGES**

208 lines, 1 columns wide equals 208 equivalent lines at .2534 cents per line \$ 52.62

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 18 extra 9.00

TOTAL AMOUNT OF CLAIM.

\$ 61.62

**DATA FOR COMPUTING COST**

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 20 80, 19

Title CLERK

**PUBLISHER'S AFFIDAVIT**

State of Indiana  
ALLEN County SS:

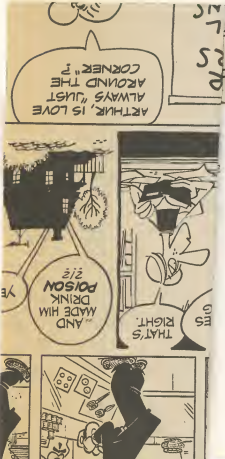
Personally appeared before me, a notary public in and for said county and state, the undersigned, D. Roose who, being duly sworn, says that she is CLERK of the

NEWS-SENTINEL  
a DAILY newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 5/23 - 5/30/80

Subscribed and sworn to before me this 30 day of May 19 80

My commission expires September 28, 1983





Fort Wayne Common Council

(Governmental Unit)

To JOURNAL-GAZETTE

Dr.

Allen

County, Ind.

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

206

2

208

COMPUTATION OF CHARGES

208

1

208

2530

\$ 52.62

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two)

18 extra

9.00

TOTAL AMOUNT OF CLAIM

\$ 61.52

DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that has been paid.

Date May 31

13 East Allen County, Indiana more particularly described as follows: Beginning at the Southwest corner of the Northeast Quarter of said Section 33 said point being in the centerline of State Street; thence North 01 degrees 00 minutes 44 seconds East (assumed) along the West line of said Northeast Quarter a distance of 1,298.90 feet; thence Northeastly 43.38 feet along a curve deflection to the right having a radius of 250 feet not tangent to the last course being subtended by a chord having a length of 40.33 feet and a bearing of North 47 degrees 35 minutes 56 seconds East; thence South 20 degrees 19 minutes 06 seconds East on a line not tangent to the last described curve course a distance of 179.86 feet; thence South 55 degrees 30 minutes 34 seconds East a distance of 151.26 feet; thence South 18 degrees 50 minutes 45 seconds East a distance of 194.66 feet; thence South 51 degrees 42 minutes 22 seconds West a distance of 191.95 feet; thence South 23 degrees 02 minutes 41 seconds East a distance of 244.70 feet; thence South 54 degrees 40 minutes 30 seconds East a distance of 284.41 feet; thence North 85 degrees 44 minutes 30 seconds East a distance of 178.14 feet; thence North 60 degrees 34 minutes 35 seconds East a distance of 262.74 feet; thence South 36 degrees 54 minutes 22 seconds East a distance of 265.21 feet; thence South 26 degrees 10 minutes 34 seconds West a distance of 255.44 feet and a bearing of South 44 degrees 11 minutes 16 seconds West a distance of 131.58 feet; thence South 29 degrees 55 minutes 08 seconds West a distance of 338.12 feet; thence South 01 degrees 07 minutes 22 seconds West a distance of 40.99 feet to a point on the centerline of State Street; thence along the centerline of State Street by the following described courses: South 78 degrees 45 minutes 54 seconds West a distance of 120.60 feet; thence Southwestly 296.00 feet along a curve having a radius of 1,389.23 feet deflection to the right and tangent to the last described course being subtended by a chord having a length of 255.44 feet and a bearing of South 44 degrees 52 minutes 24 seconds West; thence North 85 degrees 44 minutes 30 seconds West along a line tangent to the last described curve course a distance of 274.09 feet to the point of beginning, being subject to public use and being a part of the highway containing 15.50 acres, more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of one (1) year from the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-capital services provided to areas within the City which have similar topography, patterns of land utilization, and population density to the said described territory. It is also the policy of the City of Fort Wayne to provide services of a capital improvement nature to the annexed territory within three (3) years of the effective date of annexation in the same manner as such services are provided to areas already in the City with similar topography, patterns of land utilization and population density, and in a manner consistent with federal, state, and local laws, procedures and planning criteria.

SECTION 3. Governmental and proprietary services will be provided to be above described territory in a manner consistent with the written Fiscal Plan for the territory developed by the Department of Community Development and Planning. Said Plan was examined by the Common Council and is approved and adopted by the Common Council by the passage of this Ordinance.

SECTION 4. Said described territory shall be part of Councilmanic District No. 2 of the City of Fort Wayne, Indiana, as described in Section 2-9 of Article II of the Code of the City of Fort Wayne, Indiana, 1974.

SECTION 5. This Ordinance shall be in full force and effect after its passage, approval by the Mayor and sixty (60) days after final publication thereof as required by law.

CITY OF FORT WAYNE  
Mark E. GaidQuinn  
Mayor

Read the third time in full and on motion by GaidQuinn seconded by Sier, and duly adopted, placed on its passage. PASSED by the following vote:

Ayes: Eight  
Burns, Eidsbirt, GaidQuinn, Nuckols, D. Schmidt, V. Schmidt, Schomberg, Sier, Talarico  
Nays: None  
Absent: One  
Talarico  
Date: 5-13-80  
Charles W. Westernman  
City Clerk

Passed and adopted by the Common Council of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-03-80 on the 13th day of May, 1980.

ATTEST:  
Charles W. Westernman  
Vivian G. Schmidt  
Presiding Officer  
Presented by me to the Mayor of the

City of Fort Wayne, Indiana, on the 14th day of May, 1980, at the hour of 11:30 o'clock A.M., E.S.T.  
Charles W. Westernman  
City Clerk

Approved and signed by me this 16th day of May, 1980 at the hour of 4:00 o'clock P.M., E.S.T.

Wim Moses, Jr.  
Mayor

I, Charles W. Westernman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-03-80 passed by the Common Council on the 13th day of May, 1980, and that said Ordinance was duly signed and approved by the Mayor on the 16th day of May, 1980 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 16th day of May, 1980  
Charles W. Westernman  
City Clerk

st credits, and that no part of the same

or said county and state, the who, being duly sworn, says of the

newspaper of general circulation printed and published

FORT WAYNE, INDIANA

and that the printed matter attached hereto is a true copy, for two times, the dates of publication being 5/30/80

30 th May 19 80

ember 28, 1983

Notary Public

ATTEST:  
Charles W. Westernman  
Vivian G. Schmidt  
Presiding Officer  
Presented by me to the Mayor of the

To JOURNAL-GAZETTE Dr

FORT WAYNE, INDIANA

## LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) — number of equivalent lines

Head	number of lines
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
29	29
30	30
31	31
32	32
33	33
34	34
35	35
36	36
37	37
38	38
39	39
40	40
41	41
42	42
43	43
44	44
45	45
46	46
47	47
48	48
49	49
50	50
51	51
52	52
53	53
54	54
55	55
56	56
57	57
58	58
59	59
60	60
61	61
62	62
63	63
64	64
65	65
66	66
67	67
68	68
69	69
70	70
71	71
72	72
73	73
74	74
75	75
76	76
77	77
78	78
79	79
80	80
81	81
82	82
83	83
84	84
85	85
86	86
87	87
88	88
89	89
90	90
91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

Body	number of lines
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
12	12
13	13
14	14
15	15
16	16
17	17
18	18
19	19
20	20
21	21
22	22
23	23
24	24
25	25
26	26
27	27
28	28
29	29
30	30
31	31
32	32
33	33
34	34
35	35
36	36
37	37
38	38
39	39
40	40
41	41
42	42
43	43
44	44
45	45
46	46
47	47
48	48
49	49
50	50
51	51
52	52
53	53
54	54
55	55
56	56
57	57
58	58
59	59
60	60
61	61
62	62
63	63
64	64
65	65
66	66
67	67
68	68
69	69
70	70
71	71
72	72
73	73
74	74
75	75
76	76
77	77
78	78
79	79
80	80
81	81
82	82
83	83
84	84
85	85
86	86
87	87
88	88
89	89
90	90
91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

Tail      number of lines

Total number of lines in notice

### COMPUTATION OF CHARGES

208 lines, 1 columns wide equals 208 equivalent lines at 253¢, \$ 52.62  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) **18 extra**

TOTAL AMOUNT OF CLAIM.

## DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type ..... 6 ..... point

Number of insertions **2**

Size of quad upon which type is cast. <sup>6</sup>.....

Pursuant to the provision and penalties of Ch. 89., Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date **May 30** 19 **80**

Title.....CLERK

## PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned.....**ARVILA DEWALD**.....who, being duly sworn, says that she is.....**CLERK**.....of the

JOURNAL-GAZETTE

DAILY

in the English language in the city of **FORT WAYNE, INDIANA**

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times the dates of publication being

5/23 - 5/30/80

Subscribed and sworn to before me this \_\_\_\_\_

September 28, 1983

My commission expires

Fort Wayne Common Council

To JOURNAL-GAZETTE Dr.

(Governor) Allen

FORT WAYNE, INDIANA

PUBLISHER'S CLAIM

LINE COUNT

Display M Head Body Tail n

206

2

208

COMPUTATION OF CHARGES

208

208 equivalent lines at \$ 52.62

or tabular work (50 per cent of above amount)

18 extra 9.00

\$ 61.62

ATTEST: Charles W. Westerman City Clerk

Presented by me to the Mayor of the City of Fort Wayne, Indiana, as Annexation Ordinance No. X-80-80 on the 13th day of May, 1980.

Size of type 6 point

Size of quad upon which type is cast 6

Wim Moses, Jr. Mayor

Charles W. Westerman, Clerk of the City of Fort Wayne, Indiana, do hereby certify that the above and foregoing is a full, true and complete copy of Annexation Ordinance No. X-80-80 passed by the Common Council on the 13th day of May, 1980 and that said Ordinance was duly signed and approved by the Mayor on the 13th day of May, 1980 and now remains on file and on record in my office.

WITNESS my hand, and the official seal of the City of Fort Wayne, Indiana, this 16th day of May, 1980.

Charles W. Westerman City Clerk

3/23/30 Title CLERK

PUBLISHER'S AFFIDAVIT

State of Indiana

ALLEN County SS:

Personally appeared before me, a notary public in and for said county and state, the undersigned, ARVILLA DEWALD, who, being duly sworn, says that she is, CLERK

JOURNAL-GAZETTE

DAILY

newspaper of general circulation printed and published in the English language in the city of FORT WAYNE, INDIANA

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for two times, the dates of publication being as follows: 5/23 - 5/30/80

Subscribed and sworn to before me this 30 th day of May 19 80

My commission expires September 28, 1983

Notice is hereby given that on the 13th day of May, 1980, the Common Council of the City of Fort Wayne, Indiana, in a Regular Session did pass the following BILL NO. X-80-80: 34 - X-80-80 Annexation Ordinance, to wit:

BILL NO. X-80-80-36 ANNEXATION ORDINANCE NO. X-80-80

AN ORDINANCE annexing certain territory, commonly known as the HWI Area, to Fort Wayne, and including the same in Conjointmanic District No. 2.

WHEREAS, at least fifty-one percent (51%) of the owners of the herein described territory have petitioned for voluntary annexation of said territory; and

WHEREAS, said territory is adjacent to the corporate limits; and

WHEREAS, the City of Fort Wayne is desirous of annexing said territory; therefore

BE IT ORDERED BY THE COMMON COUNCIL OF THE CITY OF FORT WAYNE, INDIANA:

SECTION 1. That the following described territory be, and the same is hereby, annexed to and made a part of the corporation of the City of Fort Wayne, Indiana, to wit:

part of the Northeast Quarter of Section 33 Township 31 North Range 13 East Allen County, Indiana more particularly described as follows:

Beginning at the Southwest corner of the Northeast Quarter of said section 33 said point being in the centerline of State Street; thence North 01 degrees 50 minutes 44 seconds East (assumed) along the West line of said Northeast Quarter a distance of 1,398.00 feet; thence Northeastly 40.32 feet along a curve deflection to the right having a radius of 250 feet not tangent to the last course being subtended by a chord having a length of 40.33 feet and a bearing of North 47 degrees 33 minutes 56 seconds East; thence South 20 degrees 19 minutes 06 seconds East on a line not tangent to the last described curve course a distance of 179.86 feet; thence South 35 degrees 30 minutes 34 seconds East a distance of 151.26 feet; thence South 18 degrees 42 minutes 33 seconds East a distance of 194.66 feet; thence South 33 degrees 42 minutes 33 seconds West a distance of 191.95 feet; thence South 25 degrees 02 minutes 40 seconds East a distance of 244.70 feet; thence South 64 degrees 40 minutes 40 seconds East a distance of 284.41 feet; thence North 85 degrees 44 minutes 04 seconds East a distance of 178.14 feet to the point of beginning; thence North 60 degrees 34 minutes 35 seconds East a distance of 262.24 feet; thence South 36 degrees 34 minutes 22 seconds East a distance of 255.21 feet; thence South 43 degrees 10 minutes 34 seconds West a distance of 28.25 feet; thence South 76 degrees 11 minutes 15 seconds West a distance of 121.38 feet; thence South 22 degrees 35 minutes 06 seconds West a distance of 328.12 feet; thence South 01 degrees 07 minutes 22 seconds West a distance of 40.99 feet to a point on the centerline of State Street; thence along the centerline of State Street by the following described courses: South 78 degrees 45 minutes 54 seconds West a distance of 120.60 feet; thence Southwesterly 296.00 feet along a curve having a radius of 1,388.22 feet deflecting to the right and tangent to the last described course being subtended by a chord having a length of 296.00 feet and a bearing of South 42 degrees 52 minutes 24 seconds West; thence North 89 degrees 01 minutes 06 seconds West along a line tangent to the last described curve course a distance of 174.09 feet to the point of beginning, being subject to public road right of way of State Street and containing 15.50 acres, more or less.

SECTION 2. It is the policy of the City of Fort Wayne to furnish the above described territory within a period of time of one (1) year of the effective date of annexation, governmental services of a non-capital nature in a manner which is equivalent in standard and scope to those non-



**Fort Wayne Common Council**  
(Governmental Unit)

To **JOURNAL-GAZETTE** Dr.

**Allen**

County, Ind.

**FORT WAYNE, INDIANA**

### PUBLISHER'S CLAIM

#### LINE COUNT

Display Matter (Must not exceed two actual lines, neither of which shall total more than four solid lines of the type in which the body of the advertisement is set) - number of equivalent lines

Head number of lines

Body number of lines

Tail number of lines

Total number of lines in notice

206

2

208

#### COMPUTATION OF CHARGES

208 lines, 1 columns wide equals 208 equivalent lines at .253¢ \$ 52.62  
cents per line

Additional charge for notices containing rule or tabular work (50 per cent of above amount)

Charge for extra proofs of publication (50 cents for each proof in excess of two) 18 extra 9.00

TOTAL AMOUNT OF CLAIM.

\$ 61.62

#### DATA FOR COMPUTING COST

Width of single column 9.6 picas

Size of type 6 point

Number of insertions 2

Size of quad upon which type is cast 6

Pursuant to the provision and penalties of Ch. 89, Acts 1967.

I hereby certify that the foregoing account is just and correct, that the amount claimed is legally due, after allowing all just credits, and that no part of the same has been paid.

Date May 30 19 80

Title **CLERK**

#### PUBLISHER'S AFFIDAVIT

State of Indiana  
ALLEN County SS.

Personally appeared before me, a notary public in and for said county and state, the undersigned **ARVILLA DEWALD** who, being duly sworn, says that she is **CLERK** of the

**JOURNAL-GAZETTE**

a **DAILY** newspaper of general circulation printed and published in the English language in the city of **FORT WAYNE, INDIANA** town

in state and county aforesaid, and that the printed matter attached hereto is a true copy, which was duly published in said paper for **two times**, the dates of publication being as follows: **5/23 - 5/30/80**

Subscribed and sworn to before me this **30** th day of **May** 19 **80**

My commission expires **September 28, 1983**

OPY OF  
NT HERE

